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**COMMONWEALTH OF VIRGINIA, ex rel.**

**STATE CORPORATION COMMISSION**

**CASE NO. PUC990159**

**Ex Parte: In re: Investigation  
of area code relief for the 804  
Numbering Plan Area**

**HEARING EXAMINER'S RULING**

**January 19, 2000**

On June 24, 1999, the North American Numbering Plan Administrator ("NANPA"), on behalf of the Virginia telecommunications industry ("Industry"), provided notice to the Commission of the Industry's consensus recommendation to implement an all services distributed overlay relief plan for the 804 Numbering Plan Area ("NPA"). On September 23, 1999, the Commission entered an Order Assuming Jurisdiction in which the Commission docketed the matter and suspended the implementation of the proposed overlay for the 804 NPA pending further order of the Commission establishing a procedural schedule. On December 29, 1999, the Commission entered an Order Assigning Hearing Examiner in which the Commission (1) assigned a Hearing Examiner, (2) directed the Examiner to schedule hearings to receive public comments within the area served by the 804 area code, and (3) ordered the Examiner to direct the Commission's Division of Communications to publish newspaper notice about the time and place of the public hearings and the address and docket number to which written comments may be sent.

I am of the opinion and so find that local hearings should be scheduled to receive public comments in this investigation. Further, a procedural schedule should be established for the provision of public notice, the filing of written comments, and receiving evidence. Accordingly,

**IT IS DIRECTED THAT:**

(1) Local hearings to receive public comments on the appropriate area code relief and proposed implementation of the overlay plan for the 804 NPA are hereby scheduled for 2:00 p.m. and 7:00 p.m. on March 6, 2000, in the Charlotte Circuit Court, 1155 Le Grand Avenue, Charlotte Court House, VA 23923; and at 2:00 p.m. and 7:00 p.m. on March 9, 2000, in the Commission's Second Floor Courtroom, located in the Tyler Building at 1300 East Main Street, Richmond, VA 23219;

(2) A public hearing shall also be held on March 27, 2000, commencing at 10:00 a.m. in the Commission's Second Floor Courtroom for the purpose of receiving any

additional public comments, evidence, and oral arguments concerning the appropriate area code relief and proposed implementation of the overlay plan for the 804 NPA;

(3) Any person desiring to comment in writing, or prefile any written direct testimony or exhibits on a plan of relief for the 804 NPA may do so by directing such comments on or before March 3, 2000, to Joel H. Peck, Clerk, Virginia State Corporation Commission, P.O. Box 2118, Richmond, VA 23218, and refer to Case No. PUC990159;

(4) On or before February 14, 2000, the Commission's Division of Communications shall publish once a week for two consecutive weeks the following notice as classified advertising with a display border in newspapers of general circulation within the existing 804 area code:

**VIRGINIA STATE CORPORATION COMMISSION NOTICE  
OF PUBLIC HEARING AND OPPORTUNITY TO COMMENT  
ON THE APPROPRIATE MANNER TO IMPLEMENT A NEW  
AREA CODE IN THE EXISTING 804 AREA CODE  
CASE NO. PUC990159**

The Virginia State Corporation Commission ("SCC") is inviting comments from telephone customers affected by calling into or out of the existing 804 area code. Pursuant to the provisions of the Telecommunications Act of 1996, 47 U.S.C. § 251(e)(1), and the authority delegated by the Federal Communications Commission, the SCC was granted the authority to determine the best method of assigning a new area code to those geographic areas where the available telephone numbers are being depleted.

The area in Virginia currently served by area code 804 will likely run out of telephone numbers as early as the fourth quarter of 2001. The North American Numbering Plan Administrator, acting on behalf of the Virginia telecommunications industry, provided notice to the Commission of the Industry's consensus recommendation to implement an all services distributed overlay relief plan for the 804 NPA. Those who may be affected by the proposed area code change are invited to submit written comments on the appropriate area code relief and proposed implementation of the overlay plan for the 804 NPA to Joel H. Peck, Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Any such comments filed with the SCC must refer to Case No. PUC990159 and must be filed no later than March 3, 2000.

Local hearings to receive public comments on the assignment of a new area code in the 804 area have also been scheduled at the following locations and times:

March 6, 2000 at 2:00 p.m. and 7:00 p.m.  
Charlotte Circuit Court  
1155 Le Grand Avenue  
Charlotte Court House, VA 23923

March 9, 2000 at 2:00 p.m. and 7:00 p.m.  
State Corporation Commission Courtroom  
Tyler Building  
1300 East Main Street  
Richmond, VA 23219

Persons wishing to speak at one of those hearings should arrive early and provide their name and address to the Commission's bailiff.

Another public hearing on the appropriate area code relief and proposed implementation of the overlay plan for the 804 NPA is scheduled for March 27, 2000, at 10:00 a.m. in the Commission's Second Floor Courtroom, located in the Tyler Building at 1300 East Main Street, Richmond, Virginia. Persons desiring to make a statement at the hearing need only appear in the Commission's Second Floor Courtroom at 9:45 a.m. on the day of the hearing and identify themselves as public witnesses to the Commission's bailiff.

#### **VIRGINIA STATE CORPORATION COMMISSION**

(5) On or before February 29, 2000, the Commission's Division of Communications shall provide proof of public notice by newspaper publication in the manner described herein; and

(6) On or before March 17, 2000, the Commission's Division of Communications may file a report and recommendation regarding the proposed implementation of the overlay plan for the 804 NPA.

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Deborah V. Ellenberg  
Chief Hearing Examiner